



TOSHA

# TOGETHER WITH TOSHA

## Final Rule Updates Walking-Working Surfaces Standards and Establishes Personal Fall Protection Requirements



OSHA issued a **final rule** Nov. 17 updating its 44-year old general industry **Walking-Working Surfaces** standard to protect workers from slip, trip, and fall hazards. The rule also increases consistency in safety and health standards for people working in both general and construction industries. OSHA estimates the final rule will prevent more than 5,800 injuries a year. The rule takes effect January 17, 2017. TOSHA will adopt this new standard with an anticipated date of June 15, 2017.

The final rule will increase workplace protection from fall hazards, which are a leading cause of worker deaths and injuries. The rule's most significant update is allowing employers to select the fall protection system that works best for them, choosing from a range of accepted options. For more information, read the **news release** and the following fact sheet.

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The Bureau of Labor Statistics (BLS) recently issued the 2015 workplace fatality rates for Tennessee and the United States as a whole. The rate in Tennessee fell from 4.8 to 3.7. The national rate for 2015 was 3.4. BLS recorded 112 people who lost their lives while working in Tennessee. The leading cause of work related fatalities was transportation incidents accounting for 42% followed by 19% caused by contact with an object. Falls, including slips and trips, accounted for 15%. Tennessee OSHA had jurisdiction over, and investigated, 34 of these events.



During 2016 Tennessee OSHA investigated 35 workplace fatalities with almost half of those occurring in the construction industry. The leading cause of these were being struck by or crushed by an object followed by falls. As of February 1st of this year we have investigated 4 workplace fatalities. These events can and must be prevented. The costs, both financial and human, are too great to be ignored.

We encourage smaller employers interested in implementing an effective safety and health program to utilize the services of Tennessee OSHA's Consultative Services section. Consultative Services offers both occupational safety and industrial hygiene services to manufacturing, construction, and other types of businesses in Tennessee. This no-cost service is designed to assist employers in developing or enhancing safety and health management systems. The industrial hygienist and occupational safety specialist will identify safety and health hazards and help you implement cost-effective hazard control solutions. Participation in the consultation program is a proven opportunity for you to reduce workplace injuries and illnesses, reduce costs, and increase profits without the worry of citations or monetary penalties. A company's participation in the program is confidential, and no information about the company, or the results of the visit, is shared with TOSHA compliance enforcement. - See more at: TOSHA Consultative Services.

Please make plans to attend the 2017 Tennessee Safety and Health Conference to be held at the Gaylord Opryland Hotel July 31st through August 2nd. This year marks the 40th anniversary of the annual event. Approximately 60 sessions are planned and the exhibit hall continues to attract vendors exhibiting the latest products and services to help make the workplace safer and more healthful. More information can be found at **TSHC**.

In addition to the educational opportunities available at the Conference, we have published our **spring training schedule**. These classes are presented by TOSHA personnel with field experience and knowledge of workplace hazards and solutions.

If our agency can assist you in improving safety and health in your workplace please contact us **here**.

- Steve Hawkins, TOSHA Administrator

# **OSHA** FactSheet

# OSHA's Final Rule to Update, Align, and Provide Greater Flexibility in its General Industry Walking-Working Surfaces and Fall Protection Standards

#### **Background**

Falls from heights and on the same level (a working surface) are among the leading causes of serious work-related injuries and deaths. OSHA estimates that, on average, approximately 202,066 serious (lost-workday) injuries and 345 fatalities occur annually among workers directly affected by the final standard. OSHA's final rule on Walking-Working Surfaces and Personal Fall Protection Systems better protects workers in general industry from these hazards by updating and clarifying standards and adding training and inspection requirements. The rule affects a wide range of workers, from window washers to chimney sweeps. It does not change construction or agricultural standards.

The rule incorporates advances in technology, industry best practices, and national consensus standards to provide effective and cost-efficient worker protection. Specifically, the rule updates general industry standards addressing slip, trip, and fall hazards (subpart D), and adds requirements for personal fall protection systems (subpart I).

OSHA estimates this rule will prevent 29 fatalities and 5,842 lost-workday injuries every year.

The rule benefits employers by providing greater flexibility in choosing a fall protection system. For example, it eliminates the existing mandate to use guardrails as a primary fall protection method and allows employers to choose from accepted fall protection systems they believe will work best in a particular situation — an approach that has been successful in the construction industry since 1994. In addition, employers will be able to use nonconventional fall protection in certain situations, such as designated areas on low-slope roofs.

As much as possible, OSHA aligned fall protection requirements for general industry with those for construction, easing compliance for employers who perform both types of activities.

For example, the final rule replaces the outdated general industry scaffold standards with a requirement that employers comply with OSHA's construction scaffold standards.

The rule phases out a 1993 exception for the outdoor advertising industry that allows "qualified climbers" to forego fall protection. At least three workers have fallen from fixed ladders under this exception. One of them died. The final rule phases in the fixed ladder fall protection requirements for employers in outdoor advertising.

#### **Fall Protection Options**

The rule requires employers to protect workers from fall hazards along unprotected sides or edges that are at least 4 feet above a lower level. It also sets requirements for fall protection in specific situations, such as hoist areas, runways, areas above dangerous equipment, wall openings, repair pits, stairways, scaffolds, and slaughtering platforms. And it establishes requirements for the performance, inspection, use, and maintenance of personal fall protection systems.

OSHA defines fall protection as "any equipment, device, or system that prevents a worker from falling from an elevation or mitigates the effect of such a fall." Under the final rule, employers may choose from the following fall protection options:

- Guardrail System A barrier erected along an unprotected or exposed side, edge, or other area of a walking-working surface to prevent workers from falling to a lower level.
- Safety Net System A horizontal or semihorizontal, cantilever-style barrier that uses a netting system to stop falling workers before they make contact with a lower level or obstruction.
- Personal Fall Arrest System A system that

arrests/stops a fall before the worker contacts a lower level. Consists of a body harness, anchorage, and connector, and may include a lanyard, deceleration device, lifeline, or a suitable combination. Like OSHA's construction standards, the final rule prohibits the use of body belts as part of a personal fall arrest system.

- Positioning System A system of equipment and connectors that, when used with a body harness or body belt, allows a worker to be supported on an elevated vertical surface, such as a wall or window sill, and work with both hands free.
- Travel Restraint System A combination of an anchorage, anchorage connector, lanyard (or other means of connection), and body support to eliminate the possibility of a worker going over the unprotected edge or side of a walking-working surface.
- Ladder Safety System A system attached to a fixed ladder designed to eliminate or reduce the possibility of a worker falling off the ladder. A ladder safety system usually consists of a carrier, safety sleeve, lanyard, connectors, and body harness. Cages and wells are not considered ladder safety systems.

### **Rope Descent Systems**

The rule codifies a 1991 OSHA memorandum that permits employers to use Rope Descent Systems (RDS), which consist of a roof anchorage, support rope, descent device, carabiners or shackles, and a chair or seatboard. These systems are widely used throughout the country to perform elevated work, such as window washing.

The rule adds a 300-foot height limit for the use of RDS. It also requires building owners to affirm in writing that permanent building anchorages used for RDS have been tested, certified, and maintained as capable of supporting 5,000 pounds for each worker attached. This mirrors the requirement in OSHA's Powered Platforms standard.

## **Ladder Safety Requirements**

Falls from ladders account for 20 percent of all fatal and lost work-day injuries in general industry. The new rule includes requirements to protect workers from falling off fixed and portable ladders

as well as mobile ladder stands and platforms. (The ladder requirements do not apply to ladders used in emergency operations or ladders that are an integral part of or designed into a machine or piece of equipment).

In general, ladders must be capable of supporting their maximum intended load, while mobile ladder stands and platforms must be capable of supporting four times their maximum intended load. Each ladder must be inspected before initial use in a work shift to identify defects that could cause injury.

**Fixed Ladders** – Fixed ladders are permanently attached to a structure, building, or equipment. These include individual-rung ladders, but not ship stairs, step bolts, or manhole steps. The new rule phases in a requirement for employers to have ladder safety or personal fall arrest systems for fixed ladders that extend more than 24 feet, and phases out the use of cages or wells for fall protection under the following timeline: Starting in two years, all new fixed ladders and replacement ladder/ladder sections must have a ladder safety or personal fall protection system. For existing ladders, within two years, employers must install a cage, well, ladder safety system, or personal fall arrest system on fixed ladders that do not have any fall protection. Within 20 years, all ladders extending more than 24 feet must have a ladder safety or personal fall arrest system.

Portable Ladders – Portable ladders usually consist of side rails joined at intervals by steps, rungs, or cleats. They can be self-supporting or lean against a supporting structure. The final rule will be easier for employers and workers to understand and follow because it uses flexible performancebased language instead of detailed specification and design requirements. Under the revisions, employers must ensure that: rungs and steps are slip resistant; portable ladders used on slippery surfaces are secured and stabilized; portable ladders are not moved, shifted, or extended while a worker is on them; top steps and caps of stepladders are not used as steps; ladders are not fastened together to provide added length unless designed for such use; and ladders are not placed on boxes, barrels, or other unstable bases to obtain added height.

#### **Training Requirements**

The rule adds a requirement that employers ensure workers who use personal fall protection and work in other specified high hazard situations are trained, and retrained as necessary, about fall and equipment hazards, including fall protection systems. A qualified person must train these workers to correctly: identify and minimize fall hazards; use personal fall protection systems and rope descent systems; and maintain, inspect, and store equipment or systems used for fall protection.

When there is a change in workplace operations or equipment, or the employer believes that a worker would benefit from additional training based on a lack of knowledge or skill, then the worker must be retrained. The training must be provided in a language and vocabulary that workers understand.

#### **Timeline**

Most of the rule will become effective 60 days after it is published in the Federal Register, but some provisions have delayed effective dates, including:

- · Ensuring exposed workers are trained on fall hazards (6 months),
- · Ensuring workers who use equipment covered by the final rule are trained (6 months),
- · Inspecting and certifying permanent anchorages for rope descent systems (1 year),

- Installing personal fall arrest or ladder safety systems on new fixed ladders over 24 feet and on replacement ladders/ladder sections, including fixed ladders on outdoor advertising structures (2 years),
- Ensuring existing fixed ladders over 24 feet, including those on outdoor advertising structures, are equipped with a cage, well, personal fall arrest system, or ladder safety system (2 years), and
- Replacing cages and wells (used as fall protection) with ladder safety or personal fall arrest systems on all fixed ladders over 24 feet (20 years).

#### **Additional information**

Additional information on OSHA's rule on walkingworking surfaces and personal fall protection systems can be found at www.osha.gov/walking-workingsurfaces. OSHA can provide extensive help through a variety of programs, including technical assistance about effective safety and health programs, workplace consultations, and training and education.

For more information on other safety-related issues impacting workers, to report an emergency, fatality, inpatient hospitalization, or to file a confidential complaint, contact your nearest OSHA office, visit www.osha.gov, or call OSHA at 1-800-321-OSHA (6742), TTY 1-877-889-5627.

This is one in a series of informational fact sheets highlighting OSHA programs, policies or standards. It does not impose any new compliance requirements. For a comprehensive list of compliance requirements of OSHA standards or regulations, refer to Title 29 of the Code of Federal Regulations. This information will be made available to sensory-impaired individuals upon request. The voice phone is (202) 693-1999; teletypewriter (TTY) number: (877) 889-5627.

For assistance, contact us. We can help. It's confidential.





U.S. Department of Labor

## Tennessee Encourages Employers to Participate in the National Safety Stand-Down



Fatalities caused by falls from elevation continue to be a leading cause of death for construction workers, accounting for 350 of the 937 construction fatalities recorded in 2015 (BLS data). Those deaths were preventable. The National Fall Prevention Stand-Down raises fall hazard awareness across the country in an effort to stop fall fatalities and injuries.

#### What is a Safety Stand-Down?

A Safety Stand-Down is a voluntary event for employers to talk directly to employees about safety. Any workplace can hold a stand-down by taking a break to focus on "Fall Hazards" and reinforcing the importance of "Fall Prevention". It's an opportunity for employers to have a conversation with workers about hazards, protective methods, and the company's safety policies and goals. It can also be an opportunity for workers to talk to management about fall hazards they see.

#### Who Can Participate?

Anyone who wants to prevent falls in the workplace can participate in the Stand-Down. In past years, participants included commercial construction companies of all sizes, residential construction contractors, sub- and independent contractors, highway construction companies, general industry employers, the U.S. Military, other government participants, unions, employer's trade associations, institutes, worker interest organizations, and safety equipment manufacturers.

#### **Partners**

OSHA is partnering with key groups to assist with this effort, including the National Institute for Occupational Safety and Health (NIOSH), the National Occupational Research Agenda (NORA), Tennessee OSHA, the Center for Construction Research and Training (CPWR), the American Society of Safety Engineers (ASSE), the National Safety Council, the National Construction Safety Executives (NCSE), the U.S. Air Force, and the OSHA Training Institute (OTI) Education Centers.

#### How to Conduct a Safety Stand-Down and FAQ's

Companies can conduct a Safety Stand-Down by taking a break to have a toolbox talk or another safety activity such as conducting safety equipment inspections, developing rescue plans, or discussing job specific hazards. Managers are encouraged to plan a stand-down that works best for their workplace anytime during the May 8-12, 2017. See <a href="Suggestions to Prepare for a Successful "Stand-Down"">Suggestions to Prepare for a Successful "Stand-Down"</a> and <a href="Highlights from the Past Stand-Downs">Highlights from the Past Stand-Downs</a>. OSHA also hosts an Events page with events that are free and open to the public to help employers and workers find events in your area.

#### **Certificate of Participation**

Employers will be able to provide feedback about their Stand-Down and download a Certificate of Participation following the Stand-Down.





## **Manufacturer Recalls Fall Prevention Device**

Communication tower work has many hazards including the collapse of towers, inclement weather, electrical hazards, falling object hazards, and equipment failure. OSHA investigated 8 fatalities in 2015, 12 fatalities in 2014, and 13 fatalities in 2013. Statistically, this makes communication tower work one of the most dangerous industries in the country.

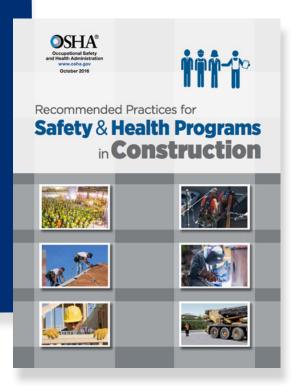
In December of 2015, TOSHA investigated to a communication tower fatality in Greeneville, Tennessee. The deceased employee fell over 100 feet from the tower to the ground below. TOSHA's investigation was centered on the safety gear that was in use at the time of the fall, particularly the sleeve that attaches the climber

to the wire rope. TOSHA sent the gear to the OSHA technical center in Salt Lake City for evaluation. This analysis confirmed misuse of the sleeve by placing it on upside down. In August of 2016, the manufacturer issued a PRODUCT STOP USE AND RECALL for the equipment. This recall not only impacts cell tower climbers in Tennessee, but across the nation.

The recall can be found <u>here</u>. Also, the recall can be found on the OSHA website <u>Communication Towers webpage</u> and to see the fatality report click <u>here</u>.

## Recommended Practices for Safety & Health Programs in Construction

As a complement to recommended practices to help employers in general industry establish safety and health programs in their workplaces, OSHA has released Recommended Practices for Safety and Health Programs in Construction. The recommendations may be particularly helpful to small- and mediumsized contractors who may not have safety and health specialists on staff. The goal of safety and health programs is to prevent work-related injuries, illnesses and deaths as well as the financial difficulties these events can cause for workers, their families and their employers. For more information, see the news release.



## OSHA Requests Comments, Schedules Meeting On Standard To Prevent Workplace Violence In Healthcare, Social Assistance

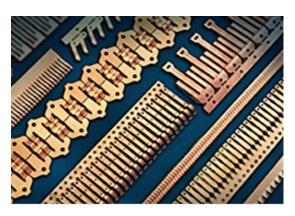
OSHA has issued a Request for Information (RFI) on workplace violence in healthcare and social assistance settings. According to a recent **Government Accountability Office report**, the rate of workplace violence against employees providing services in the healthcare and social services settings is substantially higher than private industry as a whole.

The RFI seeks comments on the extent and nature of workplace violence in these settings and the effectiveness and feasibility of methods used to prevent such violence. Comments and materials may be submitted by April 6. See the **Federal Register notice** for submission details.

The agency scheduled a public meeting on Jan. 10 to discuss strategies to reduce violence in these workplaces. The meeting allowed workers, employers and other stakeholders to describe their experiences with workplace violence, and encourage discussion among stakeholders.



## Final Rule On Beryllium Lowers Exposure Levels, Will Protect 62,000 Workers



An OSHA rule issued Jan. 6 dramatically lowers workplace exposure to beryllium, a useful metal that can be hazardous to workers when particles are inhaled through dust or fumes during processing. The new standards, which apply to general industry, construction, and shipyards, will lower the eight-hour permissible exposure limit to beryllium from 2.0 to 0.2

micrograms per cubic meter of air. When concentrations exceed those limits, employers will be required to take additional measures to protect workers. The rule becomes effective on March 10, 2017, after which employers have one year to implement most provisions. For more information, see the beryllium final rule webpage.

# New Publication Provides Steps For Preventing Worker Injuries During Disaster Response

Responding to natural and man-made disasters puts emergency response workers at risk of injury or death from slips, trips and falls. A new **OSHA QuickCard** explains what employers should do to keep workers safe. This includes: assessing the worksite for hazards; providing protective equipment such as head protection, gloves, and slip-resistant footwear; and training workers to identify hazards.



#### Protecting Workers from Slips, Trips and Falls during Disaster Response

Responding to natural and man-made disasters puts emergency response workers at risk of injury or death from slips, trips and falls.

Steps employers must take to keep workers safe:

- Conduct pre-incident disaster response planning and ensure that emergency workers know the plan.
- Assess the workplace to determine if hazards are present or are likely to be present.
- Provide protective equipment to prevent slips, trips and falls including:
  - Slip-resistant footwear (e.g., rubber soles).
- Gloves so workers can grip railings/ladders safely to steady themselves.
- Head protection
- Personal fall protection
- Train workers to identify hazards, including those that require protective equipment, and how to prevent injury.

#### Ways to Prevent Slips, Trips and Falls

Where possible, avoid walking on wet/slippery surfaces; wipe off the bottom of wet footwear.

- Use flashlights or helmet lights to stay clear of holes or floor openings, wet or slippery surfaces, and debris or equipment.
- Do not step on any surface until you have visually inspected it to ensure there are no holes or weak spots and that it can support workers and their equipment.
- Never carry equipment or loads in your hands when climbing ladders.
- Wear backpacks and tool belts to hold equipment and keep both hands free.
- Use fall protection when walking or performing emergency response activities near unprotected edges of elevated surfaces.
- Use communication devices, particularly hands-free devices, for contacting employers/incident commanders and other workers about slip, trip and fall hazards.

#### Remember

 When in doubt about the safety of an activity, stop and notify a supervisor.

For more information:





## Noise And Hearing Loss Prevention

NIOSH Sound Level Meter App



The NIOSH Sound Level Meter mobile application is a tool to measure sound levels in the workplace and provide noise exposure parameters to help reduce occupational noise-induced hearing loss.

#### **Key Benefits**

- Raises workers' awareness about their work environment
- Helps workers make informed decisions about the potential hazards to their hearing
- Serves as a research tool to collect noise exposure data
- Promotes better hearing health and prevention efforts
- Easy to use

### **Download the free app today**



Read our NIOSH Science Blog on the Sound Level Meter app

## Conference

## Tennessee Safety & Health Congress





In conjunction with the 40th anniversary of the Tennessee Safety and Health Congress the events governing body is updating the name to the Tennessee Safety and Health Conference. Same great event, same great classes, exhibitor hall and networking opportunities, only with a new name that more accurately describes one of the premier safety and health conferences in the nation.

The 40th Annual Tennessee Safety & Health Conference (TSHC) will be held July 30th – August 2nd, 2017, at Gaylord Opryland Convention Center. Since 1977, the conference has been a joint venture between the Tennessee Occupational Safety and Health Administration (TOSHA) and the American Society of Safety Engineers (ASSE). The conference offers a series of educational seminars to help employers and employees improve workplace safety and health, learn more about the latest trends, equipment, best practices, and network with peers. Attendance of the 40th TSHC is a commitment to a stronger safety leadership presence in your workplace. Please make sure you follow us on social media for all the latest updates about the TSHC and for information on vendors, safety tips, etc. Registration will begin by March 1, 2017. For more information, see the **TSHC website**.

## SI Group, Inc. 4 Years without a Work Injury

On January 24, 2017, TOSHA recertified SI Group, Inc. for continued participation in the Volunteer STAR program (VPP). The Newport facility is one of only 37 Volunteer VPP sites in Tennessee. The site was originally awarded the Volunteer STAR in 2013.

The plant produces material for the production of advanced plastics used in specialty applications such as medical and electronic equipment.

By March 2017, the plant will have operated four years without an injury. Dan Dickens, Director of Newport Operations states, "Our safety record is not a matter of luck. It's the direct result of the daily efforts of our dedicated experienced personnel. It is supported by significant company resources, both financial and technical. The culture is a

corporate culture, SI Group plants in TX and SC are also VPP sites.

It's almost a foreign concept for someone to get hurt here. Our employees expect to go home unhurt and just as healthy as they came to work. We understand the inherent risks of our industry and are always on heightened alert to find and correct unsafe conditions or actions quickly. The employees are authorized and expected to stop projects and shutdown production if necessary if they detect an issue.

Our CEO likes to think in terms of employees working their entire career without an injury."

## 2016 TOSHA Fatality Investigation Statistics

January 1st - December 31st, 2016

During 2016, Tennessee OSHA investigated 35 workplace fatalities, one more than investigated in 2015. All of the deaths could have been prevented. The hazards that caused these events were obvious in some instances and much less so in others. As evidenced by the break down below fatalities occurred across many industry segments and in companies large and small. A synopsis of each of these events, including hazards identified, will be posted on the **TN OSHA website** next month. In addition a review of these investigations will be presented at the TN Safety & Health Conference. Please remember the families who lost loved one and the pain and suffering these statistics represent.

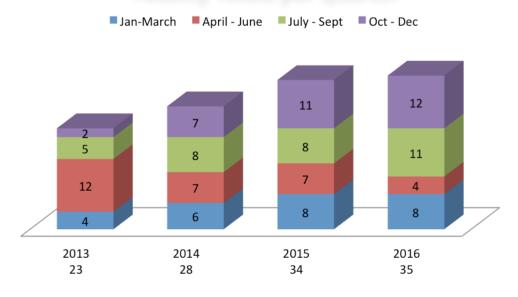
## **Fatality by Industry Sector (NAICS)**

Construction (23) – 16
Manufacturing (31, 32, 33) - 5
Warehousing/Transportation (48, 49) - 3
Wholesale Trade (42) - 2
Waste Management/Landscaping/Traffic
Management (56) - 5
Logging/Cotton Gin (11) – 2
Lawn & Garden Stores (44) – 1
Electrical Distribution (22) - 1

## **Fatality by Event Type**

Struck by/Crushed by - 20
Falls - 11
Electrocution - 1
Trip/Fall - 1
Drowning - 1
Explosion -1

## **Fatality Totals per Quarter**



TOSHA wants to hear from you! If you have a question about It you have a question about like afety and health you would like to have answered please submit to have answered please from to:

#### 2017 January - July TOSHA Seminar

Schedule

TN Department of Labor & Workforce Development

TOSHA Training Schedule



Summary of Work-Related Injuries and Illnesses Download OSHA Form 300A

Reminder, the OSHA Recordkeeping Summary Form 300A must be certified and posted at your location from February 1st - April 30th.





## **Agency Links**

## **Useful Links**

## **Recognition Links**

**OSHA** 

Tennessee's Government Website

Tennessee Department of Labor & Workforce Development

Tennessee Occupational Safety & Health Administration (TOSHA)

File a Complaint

Video Library

**TOSHA Publications** 

Safety & Health Congress

**TOSHA Safety Awards** 

**VPP** 

**SHARP** 

